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(g) whether the Government are aware of the local feeling of the ryots about the injustice of the levy and collection of such high water-rate; and

(h) if so, what remedy they propose for it?

A.—(a) The Government are not aware that the facts are as suggested;

(b) Does not arise.

(c) & (d) The Government have no information.

(e) The rates of water-cess for irrigation from the Cauvery channels in the Salem district are the same as those prescribed for irrigation from similar channels in the Trichinopoly district and in the old delta of the Tanjore district.

(f) The Government fully considered the legal and other aspects of the question before issuing the rules fixing the rates and published the rules for criticism before finally issuing them.

(g) & (h) The Government have received representations from certain landholders in the Salem district, which are under consideration. The Government have also sanctioned the levy of water-cess at concessional rates for fasli 1345.

Mr. K. A. NACHIYAPPA GOUNDER:—"In answer to (a) it is said that the Government are not aware that the facts are as suggested and with regard to (c) and (d) the Government have no information. May I request the Government, Sir, to enquire and ascertain the facts about them since the whole question is under consideration."

The Hon. Mr. C. A. SOUTER:—"I see no reason to call for any information in this particular case."

Mr. K. A. NACHIYAPPA GOUNDER:—"May I know, Sir, whether the water-rates both in Tanjore and Trichinopoly were in the same level prior to the issue of the Government Order?"

The Hon. Mr. C. A. SOUTER:—"My recollection is that."

Kist payable on paimash garden lands in certain villages of Namakkal taluk.

* 450 Q.—Mr. K. A. NACHIYAPPA GOUNDER:—"Will the Hon. the Member for Revenue be pleased to state—

(a) what the prevailing rate is of kist payable for paimash garden lands on the borders of the Cauvery channel in the proprietary estates and inam villages in Namakkal taluk of Salem district;

(b) by what percentage it is higher than ordinary dry rates in the adjoining dry lands; and

(c) what justification the Government have for levying extra water-rate on those garden lands?

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A.—(*a*) & (*b*) The Government have no information.

(*c*) Under section 1 of the Madras Irrigation Cess Act, it is lawful for the Government to levy a *separate* cess for water.

Mr. K. A. Nachiyappa Gounder:—" In answer to clauses (*a*) and (*b*), the Government say they have no information. May I request the Government to call for the information and furnish the same to the House."

The Hon. Mr. C. A. Souter:—" I see no reason to do it."

Legality of the levy of water-rate on paimash garden lands in Salem district.

* 451 *Q.*—Mr. K. A. Nachiyappa Gounder: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that the agraharamdars of Bommalapalayam in Namakkal taluk gave notice of suit for the levy of water-rate on paimash garden lands in or about the year 1925;

(*b*) if so, whether the Government on a report from the Board of Revenue decided not to levy water-rate on paimash garden lands in that agraharam and ordered a refund of the moneys already collected;

(*c*) whether the Government further directed that no charge should be made in future for irrigation by lift;

(*d*) whether a copy of the report and the orders referred to in clauses (*b*) and (*c*) will be placed on the table;

(*e*) whether it is a fact that in spite of these decisions and elaborate enquiries prior to them, the Revenue Officers in Salem district issued a demand for the collection of enhanced water-rate on paimash garden lands for fasli 1344; and

(*f*) whether the issue of demand was made after consulting legal advisers; if so, whether a copy of the legal opinion obtained will be placed on the table; if not, why not?

A.—(*a*) Yes.

(*b*) & (*c*) The Government, on the recommendation of the Board of Revenue, directed in 1925 that no charge should be levied in future for irrigation by lift of the garden lands of the Bommalapalayam agraharam village from the Raja channel, and that the amount of water-cess already collected, the recovery of which was not barred by limitation, should be refunded.

(*d*) No.

(*e*) It is probable that such a demand was issued, as since the decision of 1925, the position has been altered by the construction of the Mettur Dam, and the issue of new rules for the levy of water-cess.

(*f*) The whole question is under the consideration of the Government.